

**Unapproved**

Joint Meeting of the  
Salem Planning and Zoning Commission (Regular Meeting)  
and  
Salem Board of Selectmen (Special Meeting)  
October 27, 2009

Present for the PZC:

Abetti, F.  
Bingham, D.  
Chinatti, M. - Town Planner/ZEO  
Dalkowski, R.  
McKenney, H. - left at 8:54 pm  
Savalle, R.  
Winakor, A., Alt.

Absent:

Buckley, K.  
Fogarty, G.  
Vacancy, Alt.  
Vacancy, Alt.

Present for the BOS:

Asafaylo, R.  
Fogarty, J.  
McKenney, H.  
Ross, R., First Selectman

Absent:

Krodel, A.

Guests: F. Sroka and K. Lyden

**CALL TO ORDER:**

First Selectman R. Ross called the Board of Selectmen Special Meeting to order at 7:04 pm.

**AGENDA:**

**1. RESOLUTION CONCERNING A FEDERAL GRANT FOR ENERGY EFFICIENCY IMPROVEMENTS**

R. Ross, First Selectman:

This grant is for \$36,878 and it is ready to go.

The purpose of this item is for Board of Selectmen authorization for the First Selectman to sign the grant award.

M/S/C (Fogarty/Asafaylo) to authorize the First Selectman to sign the grant award for the Office of Policy and Management Municipal Energy Efficiency and Conservation Block Grant.  
Vote: approved unanimously.

**2. PARTICIPATE IN A JOINT MEETING WITH THE PLANNING AND ZONING COMMISSION TO DISCUSS PROPOSED ZONING REGULATION CHANGES**

R. Ross, First Selectman:

The purpose of this item is to adjourn the BOS meeting to the PZC/BOS joint meeting to discuss proposed regulations.

M/S/C (McKenney/Fogarty) to adjourn, at 7:05 pm, the Board of Selectmen Meeting to the Planning and Zoning Commission Meeting to participate in a joint meeting with the Planning and Zoning Commission to discuss proposed Town Center Zone zoning regulation changes.  
Vote: approved unanimously.

**CALL TO ORDER:**

H. McKenney, chairman:

- Called the Planning and Zoning Commission Regular Meeting to order at 7:05 pm, and
- Introduced all members and staff present.

**PUBLIC HEARING(S):**

None Scheduled.

**PETITIONERS:**

There were no *PETITIONERS* this evening.

**PUBLIC COMMENTS:**

There were no *PUBLIC COMMENTS* this evening.

**OLD BUSINESS:**

- 1) **PZC/BOS/Town Center Committee - discussion - proposed Town Center Regulations**

H. McKenney:

There are only two (2) items on tonight's agenda:

1. A discussion with the Board of Selectmen concerning any issues, comments, concerns they may have in regard to the proposed Town Center Regulations, and
2. Records retention; not only for PZC records, but all records in the Town Office Building. Requested the BOS to stay for this item.

M. Chinatti, Town Planner/ZEO, will speak to this matter, which will also involve the BOS.

The PZC has been working on these proposed regulations for almost a year. The Town Center Subcommittee, which the PZC established to

research and write these regulations, has provided drafts for the new zone and regulations for it to the PZC for review.

This will be the first new zone established for quite some time in Salem. (Overlay Zones have been the only zones approved by the Commission for many years.)

These regulations consist of some very significant changes.

From speaking to the First Selectman about the proposed regulations, it was agreed that a joint PZC/BOS meeting was a good idea in order to provide the PZC with any comments or concerns the BOS might have and they could be discussed.

M. Chinatti, Town Planner/ZEO:

The proposed regulations for a Town Center Zone provide:

- A map for delineation of the proposed zone;
- Guidance and regulatory development for new or existing buildings or remodeling and signage in the proposed zone;
- A draft set of design guidelines she based on other towns' design guidelines; and
- An appendix of design guideline graphics showing what would be appropriate or inappropriate and a checklist.

(See copies of the following above-mentioned documents:

- *Town of Salem Planning and Zoning Commission Proposed Amendments to the Town of Salem Zoning Map and Town of Salem Zoning Regulations,*
- *Town of Salem Town Center Zone Design Guidelines, and*
- *Town of Salem Town Center Zone Design Guidelines, Graphics and Checklist*

attached to the filed copy of these minutes.)

H. McKenney:

These regulations are trying to promote a certain architectural style, which will be somewhat constrictive to some.

The Town Center concept stemmed from a recommendation in the 2002 Salem Plan of Conservation and Development, a document that is simply advisory.

The regulations were drafted; the PZC is now in the process of receiving comments. There will then be the PZC public hearing process; after which the PZC could approve the regulations, approve the regulations with changes, deny the regulations and start over or deny them period.

M. Chinatti, Town Planner/ZEO:

The proposed regulations do indicate that a scorecard is available, but it is not ready at the present time.

R. Ross has loaned her a textbook in which a scorecard is available that he has used. She is in the process of reviewing it at the present time.

Board of Selectmen comments:

➤ R. Ross, First Selectman:

From Proposed amendments to the Zoning Map and Zoning Regulations:

Page 3 - Tax Parcel Zoning Map of proposed Town Center Zone: How were the boundaries established for the zone? Three (3) properties (20/30, 20/31, & 20/32) in the northeast corner do not even front on Route 85. Neither do some southwest properties (19-5, 19/7, 19/8, 19/13, etc) and some southeast properties (19/29, 19/30, 19/31, etc.) also.

Page 4 - 7.C.3 #6: regionally grown produce doesn't make sense.

Page 5 - Conflicting sections - 7.C.4 #6: Public Works facilities permitted by Special Exception; 7.C.4 #3: Municipal infrastructure permitted by Site Plan Review.

Page 5 - 7.C.4 #7: why is square footage stated for all others except for a church or house of worship?

Page 6 - 7.C.6 #1a: how will incremental renovations be handled?

Page 7 - 7.C.4 #4c: should this read "The applicant shall....."?

Page 8 - 7.C.4 #4c: should this read ..... *may be a basis*..... or ".....is a basis....."?

Page 9 - 7.C.7.1 #5: at the ZEO's discretion?

Page 9 - 7.C.7.2 #1: should read *Installation is permitted* .....

Page 9 - 7.C.7.2 #2b: if hanging from chains there would be movement.

Page 10 - 7.C.7.2 #5d: why can't one thing be written on one side and something else written on the other side? (This would be two signs.)

Page 11 - 7.C.7.3 #2e: is this enforceable/impractical?

Page 11 - 7.C.7.3 #3b: not enforceable; too restrictive.

Page 12 - 7.C.7.4 #4: ..... *no later than 30 days following the date of the subject election* . This is too long of a time period.

➤ R. Asafaylo:

From Proposed amendments to the Zoning Map and Zoning Regulations:

Among some already mentioned concerns:

Page 6 - 7.C.6 #1: as the Board of Selectmen liaison to the School Building Committee, an overriding concern of the committee has been if the school should be a part of the Town Center Zone; could any renovations .....*be consistent with the scale of the neighboring buildings or structures within at least 400 feet in any direction* ..... as it pertains to these regulations? Maybe not; just take it out or exempt it.

Page 3 - Tax Parcel Zoning Map of proposed Town Center Zone: the zone is too large; the zone should be within the confines of each parcel or a number of feet off Route 85 should be determined.

In general - town recreational facilities are not mentioned; historical features (the meaning of the word historic should be defined); in regard to the process of getting approval for a project in the zone, feels that it would take several weeks for each step; it's very complicated.

From Town Center Zone Design Guidelines:

Page 3 - #3. (a. - d.): the school should be exempt.

Page 3 & 4 - #5. (a., b., g. - i.): the school should be exempt.

➤ R. McKenney:

From Proposed amendments to the Zoning Map and Zoning Regulations:

Among some already mentioned concerns:

Page 3 - Tax Parcel Zoning Map of proposed Town Center Zone: the boundaries are too deep; the area of the Town Center Zone is much larger than it should be.

Page 5 - 7.C.3.11: why limit to the second floor?

Page 5 - 7.C.4.8: why is this called out? Maybe it should be a separate item.

Page 6 - 7.C.6.1: this is contradictory to 7.C.3.11.

Page 9 - 7.C.7.1 #3: do you really want this in a Town Center Zone?

➤ J. Fogarty:

From Proposed amendments to the Zoning Map and Zoning Regulations:

Among some already mentioned concerns:

Page 3 - Tax Parcel Zoning Map of proposed Town Center Zone: a lot of these parcels are unusable 20/63 is town-owned land; 8/5 has a development restriction; 11/1 is owned by the Nature Conservancy; the "bowtie" (on 19/30-A) behind the school property (19/26) is also unusable.

Page 5 - 7.C.3 #11: office space should be on the first floor and residences above.

Page 5 - 7.C.5 #1: concerns regarding community septic and 10,000 sq. ft. lots.

Page 8 - 7.C.7.1 #1b: and a letter board?

Page 11 - 7.C.7.3 #2c: the other 5' setback?

Overall (H. McKenney):

The vision of a Town Center Zone is a good one, but the area of the zone should be downsized.

A screening process of the properties will be accomplished by the Town Planner.

H. McKenney left the meeting at 8:54 pm.  
D. Bingham assumed the chair of the meeting.

**2) Records Retention (What needs to be done.) #3a. PZC Priorities List**

M. Chinatti, Town Planner/ZEO/WEO:

Since the loss of the seasonal/year-round properties map, there has been discussion by Boards and Commissions and the Town Office Building as a whole in regard to records retention.

She has met with several companies (A & A Office Solutions, General Code Publishers) that provide services for digital retention of records.

The greatest cost is not in going forward with the digitizing of records, but in the input of the information already available that needs to be digitized.

It will be quite a costly undertaking for the town.

She has visited two (2) towns that have had their records digitized and observed how the system works. It seems to work well for them.

**NEW BUSINESS:**

There was no *NEW BUSINESS* this evening.

**ENFORCEMENT OFFICER'S REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT: N/A**

**APPROVAL OF MINUTES OF PREVIOUS MEETINGS: N/A**

**PLUS DELTAS:**

Commission review of the positive aspects and areas for improvement in regard to the conduct of tonight's meeting.

**CORRESPONDENCE:**

There was no *CORRESPONDENCE* this evening.

**ADJOURNMENT:**

M/S/C (Winakor/Savalle) to adjourn the meeting at 9:15 pm. Vote: approved unanimously.

Doris McTigue, Administrative Assistant/Recording Secretary